

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

DICK ANTHONY HELLER, <i>et al.</i>	)	
	)	
Appellants	)	
	)	
v.	)	No. 10-7036
	)	
THE DISTRICT OF COLUMBIA, <i>et al.</i>	)	
	)	
Appellees	)	

**MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF**

COME NOW Appellants, by counsel, and move this court for a 14 day extension of time, until October 18, 2010, to file their reply brief.

This motion is made as below-signed counsel had to prepare and file a petition for a writ of certiorari in the United States Supreme Court on September 22, 2010, has a petition for rehearing due in the United States Court of Appeals for the Eleventh Circuit on October 10, 2010, and is currently preparing a brief to be filed in the United States Court of Appeals for the Fourth Circuit on October 19, 2010. As a result, below-signed counsel is now unable to complete the reply brief in this matter by October 4, 2010, and does not expect to be able to do so until October 18, 2010.

Todd Kim, counsel for Appellees, consents to this extension 2010.

Respectfully submitted,

Dick Anthony Heller  
Absalom F. Jordan, Jr.  
William Carter  
Mark Snyder

By counsel

/s/Richard E. Gardiner

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Richard E. Gardiner

D.C. Bar No. 386915

regardiner@cox.net

Suite 403

3925 Chain Bridge Road

Fairfax, VA 22030

(703) 352-7276

(703) 359-0938 (fax)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF was served, via ECF, on Todd Kim, Solicitor General, this 27th day of September, 2010.

/s/

Richard E. Gardiner